

With all due respect, applicants urge that the Examiner's requirement for election in the present application is contrary to the PCT rules and to the instructions given to the US Patent Examiner with respect of an international application.

Additionally, applicants urge that MPEP 803 states that the Examiner must examine all of the claims of an application "If the search and examination of an entire application can be made without serious burden...". Such is the case herein since a search has already been conducted and a search report and preliminary examination report has already been issued. A search by the present Examiner would at best be an update of the originally carried out search. The search for all claims is not believed to be overly undue.

For the above reasons, applicants urge reconsideration and withdrawal of the restriction requirement.

In order for the present response to be complete, applicants elect, with traverse, group I, i.e., claims 1 to 5, 8 and 16 to 19.

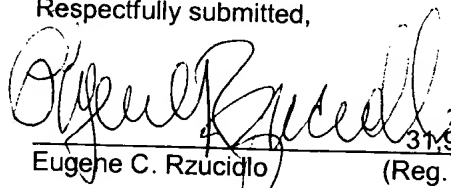
Applicants have amended several of the pending claims to conform them better to the claims as amended in the international stage. Claim 20 was a pending claim in the international application. [No new matter has been added.] A clean copy of the amended claims and new claims 20, 21 and 22 are attached hereto as Attachment A.

Applicants urge withdrawal of the election requirement and an examination of all of the pending claims.

Early and favorable action by the Examiner is earnestly solicited.

No fees are believed to be due for the filing of this Preliminary Amendment. Should any fees be required, however, please charge such fees to Deposit Account No. 501561.

Respectfully submitted,


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ATTACHMENT A

Sub
D1
C1

1. (amended) A chain-shortened polynucleotide or salt thereof, comprising phosphodiester bonds, wherein from about 0.1 percent to about 3 percent of the phosphodiester bonds are 2'-5' phosphodiester bonds.

Sub
D2
C2

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8. (amended) A composition comprising a complex formed from a carrier effective for introducing a medicament into a cell and a chain-shortened polynucleotide or salt thereof as an essential ingredient, wherein the chain-shortened polynucleotide or salt thereof comprises phosphodiester bonds, such that from 0.1 percent to about 3 percent of the phosphodiester bonds are 2'-5' phosphodiester bonds.

Sub
D3
C3

22
20. (new) A method for preparing a polynucleotide or salt thereof in which the proportion of a 2'-5' phosphodiester bond is up to about 3% based on the total phosphodiester bonds and the average chain length is between 0.1 k bases and 1 k bases comprising measuring the phosphate rearrangement rate in the course of preparing the polynucleotide or salt thereof.

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21. (new) The method for preparing the chain-shortened polynucleotide or salt thereof according to claim 8⁴, wherein the polynucleotide or salt thereof has an average chain length of between about 0.1 k bases and about 1 k bases.

29
22. (new) The method for preparing the chain-shortened polynucleotide or salt thereof according to claim 11⁵, wherein the polynucleotide or salt thereof has an average chain length of between about 0.1 k bases and about 1 k bases.